

EXHIBIT 1

Proposed Order

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

YUGA LABS, INC.,

Plaintiff and
Counterclaim Defendant,

v.

RYDER RIPPS and JEREMY CAHEN,

Defendants and
Counterclaim Plaintiffs.

Case No.: 2:23-cv-00010-APG-NJK

**[USDC, Central District of California
Civil Case No. 2:22-cv-4355-JFW-JEM]**

**(PROPOSED) ORDER GRANTING
YUGA LABS, INC.'S MOTION TO
COMPEL NON-PARTY RYAN
HICKMAN'S COMPLIANCE WITH
SUBPOENA AND MOTION TO REDACT
AND SEAL PORTIONS OF MOTION TO
COMPEL AND DECLARATION OF
KIMBERLY CULP IN SUPPORT
THEREOF**

[PROPOSED] ORDER

Before this Court is Yuga Labs, Inc.'s Motion to Compel Non-Party Ryan Hickman's Compliance with Subpoena, Motion to Redact and Seal Portions of its Motion to Compel and Declaration of Kimberly Culp in Support Thereof, and Notice of Non-Opposition to Motion to Compel Non-Party Ryan Hickman's Compliance with Subpoena ("Motions"). Mr. Hickman failed to file oppositions to Yuga Labs' Motions in the time period required by Civil Local Rule 7-2(b) and Federal Rule of Civil Procedure 6(d). Mr. Hickman's failure to respond constitutes a consent to the granting of Yuga Labs' Motions. *See* L.R. 7-2(d). Yuga Labs' Motions are also supported by law and fact.

Accordingly, for good cause showing, the Court GRANTS Yuga Labs' Motions as follows:

1. Within ten (10) days of entry of this Order, Ryan Hickman shall conduct a reasonable search for and produce in their native format to extent such documents exist (or represent under oath and in writing that none exist):
 - a. Discord communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to the private channel with Thomas Lehman ("Lehman") and the private channel with Defendant Cahen ("Cahen");
 - b. Email communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to emails from Defendant Ripps ("Ripps"), Lehman, and OpenSea;
 - c. Non-public Twitter communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to private Twitter direct messages with Cahen, Ripps, Lehman, and third parties;
 - d. Text or SMS communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to text messages with Lehman, text messages with Ripps from August 2022, and text messages with Cahen concerning this Litigation;
 - e. Documents concerning RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to those stored on Google Drive and any promotional and/or design materials for Ape Market.

- 1 2. Within fifteen (15) days of entry of this Order, Ryan Hickman shall meet and
2 confer with counsel for Yuga Labs on the date for a second deposition to occur
3 no later than March 10, 2023 and to last no longer than two (2) hours on the
4 record;
5 3. Ryan Hickman shall be sanctioned for failing without adequate excuse to obey
6 the November Subpoena and ordered to pay Yuga Labs' reasonable attorneys'
7 fees and costs in connection with the Motion to Compel. Yuga Labs shall
8 submit its fee request within ten (10) days of entry of this Order.
9 4. Portions of Yuga Labs' Motion to Compel and Declaration of Kimberly Culp
10 that quote and/or reference information that has been designated as
11 "CONFIDENTIAL" under the Protective Order entered on October 11, 2022
12 (ECF No. 51) shall be redacted and Exhibit P shall be sealed. This
13 information shall remain sealed until further order of this Court.

14 **IT IS SO ORDERED.**

15
16 Dated: _____

17 _____
18 The Honorable Andrew P. Gordon
19 United States District Court Judge
20 District of Nevada
21
22
23
24
25
26
27